IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr Misc No 42156 of 2008

Geeta Devi, wife of Manoj Bind, resident of Village - Banarsia (Bedha) P S - Sasaram, District - Rohtas **-** ***Petitioner***

Versus

State of Bihar **-** ***Opposite Party***

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2 **14.11.2008** The petitioner had twice moved this Court for bail. She is in custody in relation to Sasaram (M) Police Station Case No 626 of 2007 instituted for offences under Narcotic Drugs and Psychotropic Substances Act for allegedly being in possession of 27.25 gms of heroin which is far above the minimum commercial quantity. It seems four ladies were involved and, accordingly, twice bail application of the petitioner has been rejected by this Court. Petitioner has drawn my attention to the Forensic Sciences Laboratory's report stating that all the samples alleged to be heroin were tested and no trace of heroin or any narcotic drugs or psychotropic substances was found. Two official witnesses were witnesses to the seizure are yet to be examined and the report of the Forensic Science Laboratory has yet not been proved in the trial Court.

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In the facts aforesaid, I direct the Ist Additional Sessions Judge, Rohtas (Sasaram), before whom the case is pending, to take all necessary and expeditious steps to see that the two remaining official witnesses are examined forthwith and the analysis report is duly produced in the Court as documentary evidence. On consideration of the evidence so recorded, the trial Court would reconsider the matter of petitioner's prayer for bail at his own end without being prejudiced by the earlier order of rejection by this Court. These steps should be

concluded by the trial Court within two months of communication of order of this Court to the trial Court.

With these observations, prayer of petitioner for bail is again rejected.

M.E.H./ **(Navaniti Prasad Singh)**

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